

Date Mailed
May 23, 2000

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Petition for Declaratory Ruling Regarding the Right to
Provide Natural Gas Service in Two Areas Annexed by the
Village of McFarland

3270-DR-103

**NOTICE OF PROCEEDING
AND
ASSESSMENT OF COSTS**

THIS IS A PROCEEDING, under Wis. Stat. § 227.41, to determine which of two public utilities, Madison Gas & Electric Company (MGE) or Alliant Utilities-Wisconsin Power & Light Company (WP&L), is authorized to provide natural gas service in disputed areas of the Village of McFarland.

MGE filed a petition for declaratory ruling on December 2, 1999 (the Petition), alleging that WP&L was providing natural gas service to the territory in question in violation of Wis. Stat. §§ 196.49(2), 196.50(1), and Wis. Admin. Code § PSC 133.03(1)(j). MGE is asking the Commission to declare that MGE is the proper provider of service and, if the Commission so declares, to approve a three-year “transitional tariff” applicable to the service.

The Petition is granted.

The parties are MGE (Petitioner) and WP&L (Respondent). The Commission will decide this matter without a hearing on the basis of a stipulation of facts unless the parties are unable to reach a stipulation of facts and unless one of the parties requests a hearing.

The parties shall negotiate in good faith to reach a stipulation of facts. Within 21 days of the date of this notice, MGE shall file either a stipulation or a letter informing the Commission that the parties were unable to reach a stipulation. If the parties reach a stipulation, MGE shall file its principal brief within 21 days of the date of filing of the stipulation. WP&L shall file its responsive brief within 14 days of the date of service of MGE’s brief. MGE may file a reply brief within 10 days of the date of service of WP&L’s brief.

NOTICE IS GIVEN that the Commission considers it necessary, in order to carry out its duties, to investigate all books, accounts, practices, and activities of MGE and WP&L. The expenses incurred or to be incurred by the Commission which are reasonably attributable to such an investigation will be assessed against and collected equally from MGE and WP&L in accordance with the provisions of Wis. Stat. § 196.85 and Wis. Admin. Code ch. PSC 5.

Docket 3270-DR-103

The Commission does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this proceeding or who needs to obtain this document in a different format should contact the case coordinator listed below.

Questions regarding this matter may be directed to case coordinator Dan Sage at (608) 267-9486.

Dated at Madison, Wisconsin, _____

By the Commission:

Edward S. Marion
Assistant Secretary to the Commission

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